

URGENT ACTION

TAJIK REFUSED ASYLUM SEEKER DISAPPEARED

Nizomkhon Juraev was released from a Russian detention facility on 29 March. He has not been seen since. He is a citizen of Tajikistan, and there are fears that he has been abducted by Tajikistani security services with the intent of forcibly returning him to Tajikistan. If returned to Tajikistan, he is at risk of torture, ill-treatment and an unfair trial.

On 29 March, **Nizomkhon Juraev's** lawyer was unofficially informed that her client would be released from detention. She immediately went to the detention centre IZ/ 50-12, near Moscow, where Nizomkhon Juraev was being held but was told he had already been released. Nizomkhon Juraev has not been seen since. His family in Tajikistan have reportedly not heard from him either. There are fears that he has been abducted with the aim of forcibly returning him to Tajikistan.

Nizomkhon Juraev has applied to the European Court of Human Rights (ECtHR) to rule on violations of his rights to freedom from torture, his rights to liberty and security and effective remedy under Articles 3, 5 and 13 of the ECtHR. On 24 November 2011 the ECtHR applied interim measures under Rule 39 of the Rules of Court preventing Nizomkhon Juraev from being sent back to Tajikistan until the ECtHR had ruled on his case. Immediately after Nizomkhon Juraev's disappearance his lawyer informed the ECtHR about the situation. The ECtHR has requested that the Russian authorities provide their comments on the situation before 2 April.

PLEASE WRITE IMMEDIATELY in Russian or your own language:

- Urge the Russian authorities to immediately take steps to clarify the whereabouts of Nizomkhon Juraev and ensure he is not illegally taken out of the country;
- Remind the Russian authorities of their absolute obligation under international human rights law not to deport or extradite any person to a country where they are at risk of torture and/or other ill-treatment.

PLEASE SEND APPEALS BEFORE 15 MAY 2012 TO:

Prosecutor General of the Russian Federation

Yurii Ya. Chaika
Bolshaia Dmitrovka 15 A
Moscow
125993
Russian Federation
Fax: +7 495 987 58 41

Salutation: Dear Prosecutor General

Ministry of Foreign Affairs of the Russian Federation

Third department on CIS countries
M. A. Peshkov - Director
Ul. Smolenskaya-Sennaia pl, 32/34
119200 Moscow
Russian Federation
Fax: +7 499 241 21 75
E-mail: 3dsng@mid.ru

Salutation: Dear Director

And copies to:

President of the Russian Federation

Dmitry A. Medvedev
Ul. Ilyinka, 23
103132 Moscow
Russian Federation
Fax+7 495 9100766 ext 2134
Twitter: @MedvedevRussia

Suggested message on Twitter: Ensure that Nizomkhon Juraev, who disappeared after his release from detention, is not forcibly returned to Tajikistan.

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the second update of UA 84/11. Further information: <http://www.amnesty.org/en/library/info/EUR46/020/2011/en>

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ADDITIONAL INFORMATION

In 2007, a criminal case was opened in Tajikistan against Nizomkhon Juraev, a former local parliamentarian and businessman from the Soghd region in Tajikistan. He and 33 other people were charged with having committed violent organized crimes, economic crimes and unlawful possession of weapons. Some of them were also accused of killing the former Deputy Prosecutor General in 1999. At the time when the criminal case was brought, Nizomkhon Juraev was in Russia.

In June 2009, 31 people, mostly relatives of Nizomkhon Juraev or staff of his business company were sentenced to long terms of imprisonment. During the trial several of the accused reportedly gave accounts of how they had been tortured, including with electric shocks. There were allegations that one man who had been extradited from Russia to Tajikistan was raped by police in September 2008 in order to extract a "confession" against Nizomkhon Juraev.

Nizomkhon Juraev was detained in Moscow by Russian authorities in August 2010 after an extradition request from Tajikistan. He applied for refugee status but his request and subsequent appeals were refused. On 16 February 2011 the Prosecutor General's office of the Russian Federation ruled that he should be extradited, and in April 2011 the Moscow City Court upheld this ruling, claiming that allegations of torture and unfair trial in Tajikistan were unfounded as the country had given diplomatic assurances that Nizomkhon Juraev would not be tortured in Tajikistan.

On 24 November 2011 the European Court of Human Rights applied interim measures under Rule 39 of the Rules of Court preventing Nizomkhon Juraev from being sent back to Tajikistan until the Court had ruled on his case.

Nizomkhon Juraev's term of detention expired on 27 February 2012, whereupon he was reportedly detained on charges of attempted murder at a time when he alleges he was not in Russia. Nizomkhon Juraev's lawyer learned on 29 March 2012 that the attempted murder charges had been dropped, but that he now faced charges of threatening to murder which she had not been informed of. Nizomkhon Juraev was reportedly released with the obligation to remain in the Moscow region.

In recent years the Russian Federation has extradited several people to countries such as Tajikistan or Uzbekistan despite existing legal obligations to provide protection for those at risk of torture or ill-treatment in these countries.

Amnesty International is concerned at recent reports of collaboration between the Russian and Tajikistani Security Services, resulting in the unlawful abduction of Tajikistani citizens, some of whom were applicants to the European Court of Human Rights (ECtHR), and their forcible return to Tajikistan. There were several illegal returns in 2011 despite the ECtHR having applied interim measures requesting Russia to halt extraditions pending the Court's ruling on the cases. For example, Savriddin Dzhurayev was abducted and forcibly returned to Tajikistan in November 2011 and has since written to his lawyers reporting he was ill-treated upon return to Tajikistan. Suhrob Koziev was forcibly returned to Tajikistan in August 2011 and there are witness reports that he was ill-treated there in order to extract "confessions" from him. In January 2012 the European Court of Human Rights called on Russia to explain how "applicants could against their will be moved across the Russian State border notwithstanding the Government's official assurances that no extradition would be effected pending examination of their cases by the Court".

Name: Nizomkhon Juraev

Gender m/f: M

Further information on UA: 84/11 Index: EUR 46/013/2012 Issue Date: 3 April 2012